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Written statement* submitted by the World Youth Alliance, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The importance of a clear understanding of international human rights law for human rights bodies and mechanisms

The World Youth Alliance is a coalition of over 80,000 young people from around the globe committed to the promotion and protection of human dignity. This includes a concern for human rights, and a commitment to ensuring that human rights bodies and mechanisms respect for human dignity and promote international human rights law.

The role and challenges of the Human Rights Council and other human rights bodies and mechanisms

The Human Rights Council exists to address violations of human rights in a way that is even-handed, non-political, and effective. This is an important task, as unfortunately many grave violations of human rights continue to occur around the world. As it is part of an intergovernmental body, the Council is well positioned to assist Member States in redressing problems.

The Council's use of universal periodic review and balanced geographic representation are significant steps towards avoiding the problems that beset its predecessor body, the Commission on Human Rights. However, these two mechanisms alone cannot prevent the politicization or loss of legitimacy. The Council risks its legitimacy when it takes actions and makes recommendations that are not grounded on established international human rights law. Although this may seem intuitive, in practice it is much less clear.

Human rights are broad in application but limited in scope; the described in the Universal Declaration of Human Rights apply to everyone, without exceptions, but its provisions comprise a mere 30 articles in fewer than ten pages. Additional human rights treaties concluded since the Declaration's adoption have largely focused on ensuring that the rights it enumerated are enjoyed universally. No customary international law has emerged that has significantly expanded these rights, and the law of treaties leaves little room for enlargement or interpretation.

This narrowness of human rights is essential to ensuring their universality. Outside of human rights, governments and society have broad latitude. But no State may violate human rights or permit their violation. In a world of many cultures, peoples, and religions, this is necessary to ensure that human rights does not become a byword for the imposition of the culture, values, or whims of powerful countries on weaker ones.

This runs counter to popular campaigns which seek to capitalize on the acknowledgement of human rights to garner support for their causes. But a cause may be worthy without implicating human rights at all. This mistake is not confined to civil society or private enterprise. Human rights bodies must avoid it, or they risk diluting the meaning of human rights and undermining its ability to address human rights abuses.

The dangers of diluting human rights

Although the ideals articulated in human rights treaties can be somewhat abstract, their violations are strikingly concrete. If the definition of "human rights" continues to be diluted, it will create confusion about whether these violations have occurred and how to answer them. There will be some who claim that all difficulties are human rights abuses; those who object may decide that there are none.

Such disputes will delay or even prevent the remedying of actual human rights abuses. They may result in issues which may be serious but not human rights abuses taking center stage, while abuses persist elsewhere. This is especially likely in our digital age. More information is available than ever before, but we are largely less able to interpret what is reliable, accurate, and important. A firm grounding in the law can prevent confusion which risks making human rights contentious and addressing abuses of them unmanageable, before it they "go viral."

Delinking human rights from human rights law also undermines the legitimacy of human rights bodies, including the Human Rights Council. Similarly, mechanisms such as universal periodic reviews should only provide comments on actual human rights issues. Although any country may grant more rights than are enumerated in treaties, unless such expansions become universal, and therefore part of customary international law, they are not human rights, even if they could be considered related to existing human rights provisions.

When an international body treats issues that are not human rights as if they are, it opens itself up to accusations of cultural imperialism and politicization. This allows those who abuse human rights to dismiss valid recommendations. Other countries will likely find such a body unreliable if it regularly goes beyond its mandate to advance controversial policies by asserting that they are human rights. All of this will undermine the ability to address actual human rights abuses. It may even put vulnerable groups at more risk, if they are perceived to be advocating for special protections. This must be avoided.

The dilution of the term "human rights" is especially concerning as "human rights mainstreaming" becomes more common. International initiatives and national laws must respect human rights, and to do so they must know what they are and that no violation is acceptable. They will do so with greater commitment and confidence if they trust that human rights bodies and mechanisms are working in the common interest rather than promoting policies which do not enjoy consensus.

Areas of Particular Concern

As a youth organization committed to promoting and protecting human dignity, World Youth Alliance is dedicated to a world where human dignity and human rights are protected. Our members are the inheritors of the actions and decisions the Council takes today. They have seen their pressing concerns—human rights, development, education, and jobs—given short shrift due to politicization of UN bodies and priority being given to controversial causes over authentic needs.

Respect for human dignity and rights is a priority for young people. However, some of the causes advanced in regard to this, even on our behalf, are not. Our members are concerned that issues such as reproductive rights and comprehensive sexuality education, which implicate values rather than human rights, are deemed as important or more than peace and security, an adequate standard of living, education, and work. The inclusion of these policies, which are not agreed in international law, is divisive and detracts from actual human rights abuses and urgent human needs.

Recommendations

We urge the Council to focus its efforts on promoting established human rights without including policies on which there is no consensus or agreement. This focus should emphasize that all human beings have human rights, highlighting the universality of these rights and the shared humanity of all, regardless of "race, color, sex, language, religion, political opinion, national or social origin, property, birth or other status." (Universal Declaration of Human Rights, art. 2.) The Council can work protect the rights of the marginalized and those in vulnerable situations through rigorous dedication to human rights recognized in international law.

The Council and other human rights bodies should use this as their foundation in mechanisms such as universal periodic reviews. These mechanisms should not be a means for some Member States or bodies to impose on other Member States additional burdens not agreed to and that are not established in international law. By fostering a respect for human rights clearly defined and grounded in law, human rights bodies and mechanisms will foster respect for human rights and the bodies and mechanisms which promote them.